

CITY OF LYNN

Regular City Council Meeting – October 25, 2016 Council President Daniel F. Cahill, Presiding

Eleven Councillors Present

Moment of Silence. Councilor Barton asked that the Family of Lorraine Bingham and the Family of Denise Byrd be remembered. Councilor Walsh also asked that the Family of Karen Boyd be remembered.
Pledge of Allegiance.

Motion made by Councillor Colucci and seconded by Councilor Lozzi to accept the Meeting Minutes of October 11, 2016.
Motion carried.

COMMUNICATIONS:

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby re-appointing the following individuals to the Lynn Cultural Council:

Enzo Surin, 179 Chatham Street

David Simmons, 19 Sachem Street

Their appointments are effective immediately and shall expire on December 31, 2019.

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Colucci and seconded by Councilor Trahan to re-appoint Enzo Surin and David Simmons to the Lynn Cultural Council, effective immediately and shall expire on December 31, 2019.

Motion carried by the following yea and nay vote:

11 YES 0 NO

COUNCIL APPOINTMENT – TRAFFIC COMMISSION

Jean-Michael Fana, 32 Merrill Avenue (replacing James Cowdell Jr.)

Motion made by Councilor Cyr and seconded by Councilor Trahan to appoint Jean-Michael Fana, 32 Merrill Avenue to the Lynn Traffic Commission.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS:

Petition of Brasal Auto Body and Repair, Louis Flores, for permission to add an auto body shop to an existing auto repair and flammable license at 37 Bennett Street. Hours of operation Monday through Saturday, 8:00 a.m. to 6:00 p.m.

The following appeared in Favor:

Louis Flores

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Capano and seconded by Councilor Trahant to grant the prayer of the Petitioner with the stipulations that all requirements of ISD and Fire Department be adhered to and that there be NO PARKING on the street.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of National Grid, Chris Radzik, for permission to install approximately 100' of 2-4" concrete encased conduits from existing electric manhole MH3 to the property of 23 Central Avenue to service a newly renovated multi-residential building.

The following appeared in Favor:

John Jankowski, National Grid

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant the prayer of the Petitioner with the stipulation that the sidewalk be put back in the same condition and if concrete, it be replaced with concrete.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of 395 Lynnway, LLC, Ralph Sevinor, for permission for a Laundromat at 391 Lynnway.

Motion made by Councilor Capano and seconded by Councilor Colucci to set down for a Public Hearing.

Motion carried.

UNFINISHED BUSINESS:

Motion made by Councilor Capano and seconded by Councilor Colucci to remove from the Table the Petition of Mass Telepage, Maria Suarez, for permission for a sign permit at 875 Western Avenue. Motion carried.

Motion made by Councilor Capano and seconded by Councilor Colucci to grant the Prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councilor Capano and seconded by Councilor Colucci to remove from the Table the Order that the burnt, dilapidated or dangerous building or other structure located at 17 South Street Court, Lynn, Massachusetts, and after hearing make record of an Order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing to its disposition, alteration, or regulation, all as authorized by Massachusetts General Laws, Chapter 139, Section 1.

Motion carried.

Motion made by Councilor Capano and seconded by Councilor Colucci to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

COMMITTEE REPORTS:

Report of the October 25, 2016 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Solicitor's Office prepare all necessary documents to effectuate an Eminent Domain taking of the Private Way known as Kelly Lane.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to an Order that the City Solicitor's Office prepare all necessary documents to effectuate an Eminent Domain taking of the Private Way known as Kelly Lane.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Ordered that the City Comptroller take the following action:

Appropriate from two Revolving funds the sum of Five Hundred Eighty Seven Thousand Three Hundred Sixty Dollars and Zero Cents (\$587,360.00) to fund FY 17 Retro along with adjusted rate adjustments per raises provided to all settled and to be settled Labor Negotiations.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to a financial Order Appropriating from two Revolving funds the sum of Five Hundred Eighty Seven Thousand Three Hundred

Sixty Dollars and Zero Cents (\$587,360.00) to fund FY 17 Retro along with adjusted rate adjustments per raises provided to all settled and to be settled Labor Negotiations.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following ye and nay vote:

11 YES 0 NO

Certify as an Available Fund the amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00) as allotted to the City of Lynn Office of Economic & Community Development by the Massachusetts Gaming Commission to be used by the City as a result of the City of Lynn being designated as a "Host Community" to the Everett Casino.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00) as allotted to the City of Lynn Office of Economic & Community Development by the Massachusetts Gaming Commission to be used by the City as a result of the City of Lynn being designated as a "Host Community" to the Everett Casino.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following ye and nay vote:

11 YES 0 NO

Certify as an Available Fund the amount of Eighty Thousand Dollars and Zero Cents (\$80,000.00) as allotted to the City of Lynn Office of Economic & Community Development by MassDevelopment to be used for matching funds for upgrades to the Auditorium.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Eighty Thousand Dollars and Zero Cents (\$80,000.00) as allotted to the City of Lynn Office of Economic & Community Development by MassDevelopment to be used for matching funds for upgrades to the Auditorium.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Transfer the sum of Four Hundred Forty Seven Dollars and Thirty Eight Cents (\$447.38) from the Fire Expense to the Unpaid Bills of PY.

Councilor Net attached the following Emergency Preamble:

WHEREAS, An Emergency relative to a financial transfer in the amount of Four Hundred Forty Seven Dollars and Thirty Eight Cents (\$447.38) from the Fire Expense to the Unpaid Bills of PY.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Certify as an Available Fund the amount of Two Hundred Fifty One Thousand Three Hundred Eighty Six Dollars and Zero Cents (\$251,386.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY17 Perkins Grant. Grant Period 9/1/16-8/31/17

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Two Hundred Fifty One Thousand Three Hundred Eighty Six Dollars and Zero Cents (\$251,386.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY17 Perkins Grant. Grant Period 9/1/16-8/31/17

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

REPORT ACCEPTED.

Report of the October 25, 2016 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Contreras, Amberis, 311 Essex St.- **Granted**

Harris, Edward, 5 Holten St. Peabody, MA-Tabled - **DENIED**

Monserate, Joel G., 23 Broad St. #1.- **Granted**

Rucker, Ty, 188 Washington St. .- **Granted**

TAXI MEDALLION AGREEMENT

Nova, Felix, 91 Oakville St. #1/DCBA Transp .- **Granted with stipulation no cabs to be parked on street.**

NEW-SECOND HAND ARTICLE

381A SUMMER STREET, JMP WIRELESS.- **Granted w/30-60-90 Day Review**

RENEWAL-SIGN LICENSE

617 BOSTON ST., TONY LENA'S.- **Granted**

160 FRANKLIN ST., HOGAN'S II.- **Granted**

11 LEWIS ST., HAIR AFFAIR.- **Granted**

2 MASON ST., GEM AUTO PARTS, CO. INC.- **Granted**

269 UNION STREET, LYNN COMMUNITY HEALTH CENTER.- **Granted**

490 WASHINGTON ST., LELAND M HUSSEY CONTRACTING.- **Granted**

FLAMMABLE LICENSE – RENEWAL

32 Homesite St. – National Grid.- **Granted**

5 Stetson St. – Atlantic Ambulance Service/Cataldo Ambulance Service.- **Granted**

1073R Western Ave. – Albert Kemperle Inc. .- **Granted**

SIX MONTH REVIEW OF TAXES

164 Blossom St. – Jim McLaughlin's Lynnway Truck Center.- **Granted**

106 Chestnut St. – Kevin Auto Sales & Repair-**Suspend and request them to attend next meeting.**

1069R Western Ave. – Cap's Auto Wrecking Corp.- **Suspend and request them to attend next meeting.**

1071 Western Ave. – Bonia Motors.- **Granted**

REQUESTED TO APPEAR BEFORE COMMITTEE

131 Commercial St. – North Shore Car Rental owner: Vladimir Golovan (selling second-hand motor vehicles without Class II dealers license).- **Granted with 30-60-90 Day Review. ISD will reach out to State Trooper for an Update.**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the October 25, 2016 Committee on Public Property and Parks recommending the following to be accepted:

1. Discussion re: Creation of a Local Historic District solely around the Footprint of the GAR Building.- **Motion to approve the creation of a Local Historic District, solely around the footprint of the GAR.**

2. OTHER BUSINESS.

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councilor Walsh and seconded by Councilor Trahan to set down a Public Hearing to amend the City of Lynn Zone Map and Zone Ordinance so that all areas presently zoned as an Apartment House Class 2 (R4) District and High Rise Building (R5) District from Washington Street to the Lynn Saugus line be designated as a General Residence (R2) District.

Motion carried.

Motion made by Councillor Colucci and seconded by Councillor Barton to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK